

1 Richard A. Selzer
 2 Theater Square, Suite 234
 3 Orinda, California 94563
 4 925-253-7909
 5 California Bar No. 92317
 6
 7 Richard H. Friedman (CA Bar No. 221622)
 8 Michael N. White (Pro Hac Vice)
 9 Fridman, Rubin & White
 10 1126 Highland Avenue
 11 Bremerton, Washington 98336
 12 360-782-4300

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 9 UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 ANITA D. PARATLEY,) CASE NO. C-05-4312 (MMC)
 12)
 13 Plaintiff,) [San Francisco County Superior
 14 vs.) Court Case No. 05-445379]
 15)
 16 CONSECO HEALTH INSURANCE) STIPULATION AND ORDER
 17 COMPANY and CONSECO, INC.,)
 18 Defendants.) Assigned to: The Honorable
 19) Maxine M. Chesney
 20)

18 STIPULATION

19 It is stipulated, by and between plaintiff Anita Paratley
 20 and defendant Conseco Health Insurance Company, parties to the
 21 above entitled action, by and through their attorneys, as
 22 follows:

- 23 1. Conseco, Inc. is dismissed from the action, with
 24 prejudice, each party to bear their own costs and fees.
 25 2. Conseco Life Insurance Company of Texas shall not be
 26 added as a party in this action.
 27 3. Plaintiff may file the attached Second Amended Complaint,
 28 which adds Conseco Services L.L.C. as a defendant in the action.

1 The attached Second Amended Complaint may be deemed filed on the
2 date of the court's execution of this order.

3 4. The Law Offices of Marc J. Wodin will accept service of
4 the Second Amended Complaint for Conseco Services L.L.C.

5 5. Conseco Services L.L.C. will respond to the Second
6 Amended Complaint within 20 days of service.

7 6. No changes to any pretrial dates are believed necessary
8 by the parties as a result of this stipulation.

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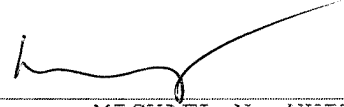
10 DATED:

FRIEDMAN, RUBIN AND WHITE

11

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By



MICHAEL N. WHITE

Attorneys for Plaintiff ANITA
PARATLEY

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DATED:

8/17/06

LAW OFFICES OF MARC J. WODIN

17

By



MARC J. WODIN

Attorneys for Defendant CONSECO
HEALTH INSURANCE COMPANY

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ORDER

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1. Conseco, Inc. is dismissed from the action, with
prejudice, each party to bear their own costs and fees.

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2. Conseco Life Insurance Company of Texas shall not be
added as a party in this action.

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~~3. The attached Second Amended Complaint is deemed filed on
the date of the court's execution of this order.~~

28

3. Plaintiff shall file the Second Amended Complaint no later than August 28, 2006.

LAW Offices
Marc J. Wodin

1 4. The Law Offices of Marc J. Wodin will accept service of
2 the Second Amended Complaint for Conseco Services L.L.C.

3 5. Conseco Services L.L.C. will respond to the Second
4 Amended Complaint within 20 days of service.

5
6 DATED: August 22, 2006

Maxine M. Chesney
7 THE HONORABLE MAXINE M. CHESNEY
8 JUDGE OF THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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Law Offices
Marc J. Wodin